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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/370,696	08/09/1999	SIMON H. LIGHTBODY	6270/26	8394

757 7590 05/02/2003

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, IL 60611

EXAMINER

EDWARDS JR, TIMOTHY

ART UNIT	PAPER NUMBER
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2635

DATE MAILED: 05/02/2003

24

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/370,696

Applicant(s)

LIGHTBODY ET AL.

Examiner

Timothy Edwards

Art Unit

2635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 29,38,44-46,52-67 and 69-99 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 29,38,44-46,52,55,56,59,61-65,69-72,75,77,79-81,83-85,87,88,91,93,95,97 and 99 is/are rejected.
- 7) ☒ Claim(s) 53,54,57,58,60,66,67,73,74,76,78,82,86,89,90,92,94,96 and 98 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

The formal drawings, filed on 24 October 2002 have been approved by draftsperson.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 29,38,45,46,52,55,56,59,63,65,69-72,75,77,83,84 are rejected under 35 U.S.C. 102(e) as being anticipated by Griffin et al [US 6,429,785].

Considering (amended) claims 29,38 and 72, Griffin disclose the use of a revenue meter having precision time clock comprising, a) a revenue meter enclosed within an enclosure (see fig 4, item 40); b) an I/O device physically separate from the revenue meter (see fig 9, item 610); c) I/O device include a processor (see col 21, lines 41-47); d) providing at least one first timer value from the processor to the revenue meter (see col 21, lines 21-25 and lines 48-53).

Considering claim 45, Griffin discloses the limitations of this claim in col 7, lines 28-38 and col 21, lines 10-15.

Considering claim 46, Griffin discloses the limitations of this claim in col 21, lines 20-22.

Considering claim 52, Griffin discloses the limitation of this claim in col 21, lines 10-15.

Considering claims 55,56,75, Griffin discloses the limitation of these claims in col 21, lines 48-53.

Considering claims 59,77 Griffin discloses the limitation of these claims in col 9, lines 39-60.

Considering claims 63,65, Griffin discloses the limitation of these claims in col 21, lines 48-53.

Considering claims 69,83 Griffin discloses the limitation of these claims see fig 4, item 40.

Considering claims 70,84 Griffin discloses the limitation of these claims in col 9, lines 39-61.

Considering claim 71, Griffin discloses the limitation of this claim in col 21, lines 10-15 and lines 38-41.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 44,61,62,64,79-81,85,87,88,91,93,95,97,99 are rejected under 35 U.S.C. 103(a) as being unpatentable over Griffin et al.

Considering claims 44,64,81,85,87,88,91,93,95,97,99 Griffin does not specifically recite the I/O device (610) of his system receives power from the revenue meter. Griffin does not specifically recite a power means for his I/O device. However, one of ordinary skill in the art would readily recognize the need of a power source for the I/O device. also, it is well known in the art to use the power from a utility meter to power devices, which are connected thereto. Therefore, it would have been obvious to one of ordinary skill in the art to use any well-known method to power a device connected to a utility meter, such as using the power associated with the utility meter, in the Griffin system because there is a need for a power connection to the Griffin I/O device.

Considering claims 61,62,79,80, Griffin does not specifically recite detecting errors in the communication link or the use of cyclic redundancy check to detect errors between his I/O device and revenue meter. The use of cyclic redundancy check to detect errors data communication errors is well known in the art. Even though, Griffin does not recite

error detection one of ordinary skill in the art would readily recognize the importance of this process in the sending/receiving of critical data. Therefore, it would have been obvious to one of ordinary skill in the art to modify the Griffin I/O device to include error detection because its use is well known in the art with respect to send and receiving meter data.

Allowable Subject Matter

Claims 53,54,57,58,60,66-68,73,74,76,78,82,86,89,90,92,94,96,98 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: with respect to claims 53,57,73 and 76 Griffin et al fails to teach or suggest I/O device comprises at least one input and this input receives a signal indicative of the current flowing into the input. With respect to claims 54,58 and 74 Griffin et al fails to teach or suggest, I/O device is operative to generate a signal level corresponding to the signal received at the I/O input. With respect to claims 60,66-68,78,82 Griffin et al fails to teach or suggest, the revenue meter accurately timestamps transition time of at least one signal input from the I/O device. with respect to claims 86,89,90,92,94,96,98 Griffin et al fails to teach or suggest, sending at least one second timer value from the I/O processor to the revenue meter, a first time value indicative of the time of transition of at least one input of the I/O device and at least on second timer value indicative of a time

of transmission of at least one communication packet from the I/O device to the revenue meter.

1. Any inquiry concerning this communication should be directed to Examiner Timothy Edwards at telephone number (703) 305-4896. The examiner can normally be reached on Monday-Thursday, 8:30 a.m.-4:00 p.m. The examiner cannot be reached on Fridays.

If attempt to reach the examinee by telephone are unsuccessful, the examiner's supervisor, Michael Horabik, can be reached on (703) 305-4704.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700, Mon-Fri., 8:30 a.m.-5:00 p.m.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or fax to:

(703), 872-9314 (for formal communications intended for entry)

Or:

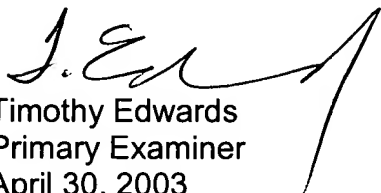
(for informal or draft communications, please label "PROPOSED"
or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121
Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

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A handwritten signature in black ink, appearing to read 'T. Edwards', with a long, sweeping horizontal stroke extending to the right.

Timothy Edwards
Primary Examiner
April 30, 2003